

#20

PATENT

Attorney Reference: 018623-006250US

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



RECEIVED

MAY 20 2003

TECH CENTER 1600/2900

On May 12, 2003
TOWNSEND and TOWNSEND and CREW LLP
By: Joy M. Marshall

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SETTE et al.

Application No.: 09/707,738

Filed: November 6, 2000

For: INDUCTION OF IMMUNE
RESPONSE AGAINST DESIRED
DETERMINANTS

Examiner: DeCloux, Amy M.

Art Unit: 1644

TERMINAL DISCLAIMER

Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

Petitioner, Epimmune Inc., is the owner of 100 percent interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 5,736,142. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is

/21/2003 GDUCKETT 00000003 201436 09707738
FC:1814 110.00 CH

statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned (whose title is supplied below) is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: MAY 6, 2003

By: 
Robert De Vaere
Vice President, Finance & Administration
Chief Financial Officer